

REMARKS

Claims 1-16 are pending and under consideration in the above-identified application.

In the Office Action of June 17, 2004, claims 1-16 were rejected under 35 U.S.C. §102(b) as anticipated by the disclosure of *Shultz et al.*

Applicants have amended claims 1, 3-4, 8-9, 12 and 16, to correct idiomatic errors in order to place the claims in order for allowance. No new matter has been added.

Additionally, each of the independent claims 1, 4, 8, 9, 12, and, 16, have been amended to exclude Huber type energy functions, as the disclosure makes clear this distinction from the prior art at page 18, third paragraph, and page 19, second paragraph, of the specification.

Shultz et al. relates to prior art Huber type energy functions and this does not anticipate or fairly suggest use of non-Huber type energy functions as set forth in the present invention.

Therefore, it is submitted that the above amended claims address the matters raised in the Office Action.

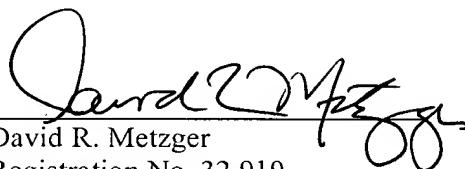
No fee is due with this response. However, the Commissioner is hereby authorized to charge any deficiency in required fee to Deposit Account No. 19-3140.

CONCLUSION

In view of the above amendments and remarks, Applicants submit that claims 1-16 are allowable and that the application is in condition for allowance. Note to that effect is requested.

Respectfully submitted,

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